

1

c. close the docket for the Subsequent Bondholder Plaintiff Action.

2

B. Organization of Bondholder Plaintiff Counsel

5. Pursuant to Fed. R. Civ. P. 23(g)(3), the Court designates as Interim Co-Lead Counsel for the Bondholder Plaintiff class, Weinstein Kitchenoff & Asher LLC and Morris and Morris LLC Counselors At Law (“Bondholder Plaintiff Interim Co-Leads”), who shall be solely responsible for coordinating and organizing plaintiffs in the conduct of the Bondholder Plaintiff Action and, in particular, shall have the following responsibilities.

- a. To make, brief, and argue motions, and to file papers and participate in proceedings initiated by other parties;
- b. To initiate, conduct, and defend discovery proceedings;
- c. To act as spokesperson at pretrial conferences;
- d. To negotiate with defense counsel with respect to settlement and other matters;
- e. To call meetings of counsel for plaintiffs in the Bondholder Plaintiff Action;
- f. To make all work assignments to plaintiffs’ counsel for the Bondholder Plaintiff Action to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort;
- g. To conduct trial and post-trial proceedings;
- h. To consult with and employ experts;
- i. To request that the Court approve settlements, if any, and fee awards;
- j. To allocate fees;
- k. To perform such other duties and to undertake such other responsibilities as they deem necessary or desirable in the prosecution of this litigation;

l. To coordinate with co-lead counsel for the Exchange-Based Plaintiff Action, co-lead counsel for the Over-the-Counter Plaintiff Action, counsel for any Bondholder plaintiff, any other lead or co-lead class counsel that may hereafter be appointed, and counsel for non-class plaintiffs in *In re LIBOR-Based Financial Instruments Antitrust Litigation*; and

m. To coordinate and communicate with defendants' counsel with respect to matters addressed in this paragraph or its subparts.

The designation of Bondholder Plaintiff Interim Co-Leads in this Paragraph 5 is without prejudice to the right of other counsel to move for modification of such designation upon good cause shown.

6. No motion, request for discovery, or other pretrial proceedings shall be initiated or filed by any plaintiff in the Bondholder Plaintiff Action except through Bondholder Plaintiff Interim Co-Leads, and no counsel in the Bondholder Plaintiff Action shall be authorized to perform any work in the case without the express authorization of the Bondholder Plaintiff Interim Co-Leads.

7. Bondholder Plaintiff Interim Co-Leads shall be the contact between plaintiffs' counsel in the Bondholder Plaintiff Action and defendants' counsel, Exchange-Based Plaintiffs' counsel, Over-the-Counter Plaintiffs' counsel, any other lead or co-lead class counsel that may hereafter be appointed, counsel for non-class plaintiffs in *In re LIBOR-Based Financial Instruments Antitrust Litigation*, and any counsel for any Bondholder plaintiff, as well as spokespersons for plaintiffs' counsel in the Bondholder Plaintiff Action. Bondholder Plaintiff Action Co-Leads are designated as the contact persons from plaintiffs' counsel in the Bondholder Plaintiff Action and as the attorneys of record with whom the Court will be dealing throughout the course of this litigation.

Case 1:11-md-02262-NRB Document 197-1 Filed 08/10/12 Page 6 of 6

8. All plaintiffs' counsel in the Bondholder Plaintiff Action shall submit their up-to-date time and expenses on a monthly basis in the form set forth by Bondholder Plaintiff Action Co-Leads or on such other schedule as may be established, from time-to-time, by Bondholder Plaintiff Action Co-Leads.

9. Defendants shall effect service of papers on plaintiffs in the Bondholder Plaintiff Action by serving a copy on each Bondholder Plaintiff Action Co-Lead by electronic mail (including the Court's Electronic Case Filing system), overnight mail, telecopy, or hand delivery. Bondholder Plaintiff Interim Co-Leads shall effect service on plaintiffs in the Bondholder Plaintiff Action by serving a copy on all other counsel for plaintiffs in the Bondholder Plaintiff Action by electronic mail (including the Court's Electronic Case Filing system), overnight mail, telecopy, or hand delivery.


C. No Waiver

10. The terms of this Order, the consolidation and coordination ordered herein, and the appointment of Bondholder Plaintiff Interim Co-Leads shall not constitute a waiver by any party of any claims in or defenses to any of the actions.

SO ORDERED.

Dated: New York, New York

August 14, 2012


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE